

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael Dean GATTEN

Application Number: 10/622,705

Filed: July 21, 2003

For: SWADDLING BLANKET

Art Unit:

Examiner:

Attorney Docket Number: 0108

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents and Trademarks P.O. Box 1450 Alexandria, VA 22312-1450

Sir:

Attached hereto are Form PTO/SB/08A and Form PTO/SB/08B, each listing documents believed relevant to the subject application. The applicant respectfully requests that the examiner consider these documents and return an initialed copy of each form to the undersigned.

A copy of each listed document is enclosed. Some of the documents may have markings thereon. The applicant does not intend that any significance be attached to these markings. These documents are not necessarily analogous art.

The applicant believes that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedure § 609. If for some reason the examiner believes otherwise, the applicant respectfully requests that the undersigned be contacted so that any deficiencies can be remedied. This disclosure

statement should not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

Most of the citations provided on Form PTO/SB/08B are to web pages previously located by the inventor. Although the applicant has attempted to provide all requested citation information, the authors, titles, and publication dates of certain references could not be obtained. In the case of reference AR, the URL provided on Form PTO/SB/08B is the most current available prior to the filing date of this IDS.

The invention was first made known to the public on August 8, 2002, when the inventor sent evaluation samples to a magazine publisher.

Respectfully submitted,

Bu E. Cun

Bruce E. Weir

Registration No. 48,191

Date: October 20, 2003

Bruce E. Weir Attorney at Law 12 Sparrow Valley Court Montgomery Village, MD 20886 Telephone: (301) 977-6009 Facsimile: (301) 977-6009

E-mail: bweir@bruceweir.com

20 2003 6 Line Paperwork Reduction Act of 1995, no pers	U.S. Pa ons are required to respond to a coller Application Number	PTO/SB/21 (08-03) Approved for use through 08/30/2003. OMB 0651-0031 tent and Trademark Office; U.S. DEPARTMENT OF COMMERCE ction of information unless it displays a valid OMB control pumber.
TRANSMITTAL FORM (to be used for all correspondence after initial filing) Total Number of Pages in This Submission	Filing Date First Named Inventor Art Unit Examiner Name Attorney Docket Number	July 21, 2003 Michael Dean GATTEN 0108
Fee Transmittal Form Fee Attached Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Add Terminal Disclaimer Request for Refund CD, Number of CD(s) arks	After Allowance communication to Technology Center (TC) Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information
Firm or Individual name Signature Date Date Date Bruce E. Weir Reg. No. 48,191 Signature 20 Control 2003 CERTIFI I hereby certify that this correspondence is being face	CATE OF TRANSMISSIO simile transmitted to the USPTO of ddressed to: Commissioner for Programme to the USPTO of the USPTO o	
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)	180
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Complete if Known						
Application Number	10/622,705					
Filing Date	July 21, 2003					
First Named Inventor	Michael Dean GATTEN					
Examiner Name						
Art Unit						
Attorney Docket No.	0108					

METHOD OF PAYMENT (check all that apply)				FE	CALCULATION (continued)	
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The Director is authorized to: (check all that apply)	1053 1812	130	1053 1812		Non-English specification For filing a request for ex parte reexamination.	
Charge fee(s) indicated below Credit any overpayments	1804	920*	1804		Requesting publication of SIR prior to	
Charge any additional fee(s) or any underpayment of fee(s)	1001	520	1004	320	Examiner action	
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
FEE CALCULATION	1251	110	2251	55	Extension for reply within first month	
1. BASIC FILING FEE	1252	420	2252	210	Extension for reply within second month	
Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month	ļ
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1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month	
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal	
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal	
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
SUBTOTAL (1) (\$)	1452	110	2452	55	Petition to revive - unavoidable	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1453	1,330	2453	665	Petition to revive - unintentional	
Fee from	1501	,	2501		Utility issue fee (or reissue)	
Extra Claims below Fee Paid Total Claims -20** = X =	1502	480	2502		Design issue fee	
Independent -3** = X =	1503 1460	640 130	2503 1460		Plant issue fee Petitions to the Commissioner	
Multiple Dependent	1807	50	1807			
Large Entity Small Entity	1806	180	1806		Processing fee under 37 CFR 1.17(q) Submission of Information Disclosure Stmt	180
Fee Fee Fee Fee <u>Fee Description</u> Code (\$) Code (\$)	8021	40	8021		Recording each patent assignment per	10
1202 18 2202 9 Claims in excess of 20	1809	770	2809		property (times number of properties) Filing a submission after final rejection	\vdash
1201 86 2201 43 Independent claims in excess of 3	1009	770	2009	303	(37 CFR 1.129(a))	
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be	
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	205	examined (37 CFR 1.129(b))	
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**or number previously paid, if greater; For Reissues, see above	*Redu	ced by	Basic F	iling F	ee Paid SUBTOTAL (3) (\$) [8	30

SUBMITTED BY

Name (Print/Type)

Signature

(Complete (# applicable))

Registration No. (Attornev/Agent)

(Attornev/Agent)

(Complete (# applicable))

Telephone 301-977-6009

Date

20 Octob or 2003

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Substitute for form 1449/PTO

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(Use as many sheets as necessary)

of 1

Complete if Known				
Application Number	10/622,705	_		
Filing Date	July 21, 2003			
First Named Inventor	Michael Dean GATTEN			
Art Unit				
Examiner Name		-		
Attorney Docket Number	0108			

U. S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Wher Relevant Passages or Relevar Figures Appear		
		^{US-} 6,393,612 B1	05-28-2002	Thach			
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Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
	Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T
	WO 02/00048 A1	01-03-2002	DE RUYTER		
	WO 02/087369 A1	11-07-2002	GERARD		
<u> </u>					

Examiner	Date	<u>-</u>
Signature	Considered	

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Substitute for form 1449/PTO				Complete if Kn wn		
1				Application Number	10/622,705	
1			CLOSURE	Filing Date	July 21, 2003	
STA	STATEMENT BY APPLICANT			First Named Inventor	Michael Dean GATTEN	
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(Use as many sheets as necessary)		Examiner Name				
Sheet	1	of	3	Attorney Docket Number	0108	

Examiner	Cite	NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of	
Initials*	No.1	the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
:	AA	GERARD, Claudia M., Spontaneous Arousals in Supine Infants While Swaddled and Unswaddled During Rapid Eye Movement and Quiet Sleep, Pediatrics, December 2002, Vol. 110, No. 6.	
	АВ	THACH, Bradley Terrill, Causes of Sudden Infant Death Syndrome: Human and Animal Research, Web Page [Online], Washington University in St. Louis. Original publication date unknown [retrieved 9/27/2002]. Retrieved from the Internet. <url: b9df148625677d005940df?opendocument="" c517b7f273394130862567970055bff2="" ee744c3f0a="" http:="" ocfr="" research.medicine.wustl.edu="" research.nsf="">.</url:>	
	AC	GRANT, Ross, Swaddled Infants Sleep Better, Safer, Health Scout News. Web Page [Online], TeachMoreLoveMore website. December 6, 2002. Retrieved from the Internet. <url:< td=""><td></td></url:<>	
		http://www.teachmorelovemore.org/ArticlesDetails.asp?articleid=4525>.	
	AD	AUTHOR UNKNOWN, Swaddling may cut SIDS risk, Web Page [Online], Babycenter.com website. September 16, 2002, Retrieved from the Internet. <url: 419.html="" http:="" refcap="" www.babycenter.com="">.</url:>	
	AE	GELLER, David, Should I swaddle my baby? Web Page [Online], Babycenter.com website. Original publication date unknown. Retrieved from the Internet. <u> <u> <u> <u> <u> <u> <u> <u< td=""><td></td></u<></u></u></u></u></u></u></u>	
	AF	LIN-DYKEN, Deborah, What is "swaddling"? What are the pros and cons? Web Page [Online], Original publication date unknown. Retrieved from the Internet. URL: http://www.babycenter.com/expert/7660.html>.	
	AG	THE BABY CENTER EDITORIAL STAFF, What does it mean to swaddle a baby?, Web Page [Online], Original publication date unknown. [retrieved 9/27/2002], Retrieved from the Internet. <url: 125.html="" baby="" http:="" newborns="" refcap="" www.babycenter.com="">.</url:>	
	АН	KNOSP, Laura K., Neonatal Pain and Touch, Web Page [Online], Original publication date unknown [retrieved 9/30/2002]. Retrieved from the Internet. <url: http:="" nonpharm="" pedspain="" sites="" touchnt.htm="" www.nursing.uiowa.edu="">.</url:>	
	AJ	AUTHOR UNKNOWN, Swaddling Babies May Reduce Cot Death Risks, Web Page [Online], October 15, 2002. Retrieved from the Internet. <l></l>	

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Examiner		Date	
Signature		Considered	

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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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			CLOSURE	Filing Date	July 21, 2003		
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Sheet	2	of	3	Attorney Docket Number	0108		

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Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	of e T ²	
	AK	AUTHOR UNKNOWN, Swaddling May Help Sleeping Babies Remain On Their Backs, Reducing Risk of Sudden Infant Death Syndrome, Web Page [Online], Healthworld Online. December 2, 2002. Retrieved from the Internet. <url: 021202072217.htm="" 12="" 2002="" http:="" releases="" www.sciencedaily.com="">.</url:>		
	AL	AUTHOR UNKNOWN, Swaddling May Help to Prevent SIDS, Web Page [Online], Original publication date unknown [retrieved 9/27/2002]. Retrieved from the Internet. <url: http:="" mrdnw.html="" www.advanceformrc.com="">.</url:>		
	AM	EZELL, Cheryl, SIDS: Sudden and Silent, Web Page [Online], KidsHealth Website. Original publication date unknown [retrieved 12/11/2002]. Retrieved from the Internet. <url: fcrp="" fp="" fp_vol2no1="" http:="" ssw.unc.edu="" sudden_and_silent.htm="">.</url:>		
	AN	SOBELLS, Laura, Comment for Auto-responder calming tips, E-mail response from www.calmbaby.com, November 3, 2002. Retrieved from the Internet. <url: http:="" www.calmbaby.com="">.</url:>		
	AP	AUTHOR UNKNOWN, Doctors at St. Louis Children's Hospital Suggest Swaddling To Prevent SIDS, Web Page [Online], St. Louis Children's Hospital Website. October 10, 2002. Retrieved from the Internet. <url: articles="" http:="" media.asp?id="1028" www.stlouischildrens.org="">.</url:>		
	AQ	TURBO, Richard, Quieting Colic, Web Page [Online], Murphy Sam & Jodi website. Original publication date unknown [retrieved 9/30/2002]. Retrieved from the Internet. <url: content-quietingcolic.htm="" http:="" www.murphysamandjodi.com="">.</url:>		
	AR	AUTHOR UNKNOWN, The Infant Swaddler, Web Page [Online], Comfort Silkie Store website. Original publication date unknown [retrieved 12/11/2002], Retrieved from the Internet. <url: comfortsilkie.htm="" http:="" www.newcenturystyle.com="">.</url:>		
	AS	AUTHOR UNKNOWN, NAME UNKNOWN, Web Page [Online], Image of swaddling garment. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: 164.jpg="" alpdev.com="" http:="" images="" store="" store9="">.</url:>		
	AT	AUTHOR UNKNOWN, NAME UNKNOWN, Web Page [Online], Image of swaddling garment. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: bd.htm="" eng="" http:="" product="" www.felogroup.com="">.</url:>		
	AU	AUTHOR UNKNOWN, CuddleBug Cloverleaf Blankets, Web Page [Online], Sweet Pea Company website. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: blankets.html="" cloverleaf="" html="" http:="" www.sweetpeacompany.com="">.</url:>		

Examiner	Date	
Signature	Considered	

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(Use as many sheets as necessary)			ecessary)	Examiner Name			
Sheet	3	of	3	Attorney Docket Number	0108		

Examiner	Cite	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of	
Initials*	No. ¹	the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AV	AUTHOR UNKNOWN, Shop the Shops Online: Kidstuff: Infants and Toddlers, Web Page [Online], Shop the Shops website. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: http:="" ksi="" newbburp.asp="" www.shoptheshops.com?deptsub="">.</url:>	
	AW	AUTHOR UNKNOWN, Silkie Swaddling Blanket, Web Page [Online], SilkieSmoother website. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: blanket.html="" http:="" silkieswaddling="" www.silkiesmoother.com="">.</url:>	
	AX	AUTHOR UNKNOWN, Cozy Swaddling Wrap, Web Page [Online], Image of swaddling garment. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: http:="" kozy="" wraps.html="" www.kozykidscompany.com="">.</url:>	
	AY	AUTHOR UNKNOWN, Swaddleme Blanket, Web Page [Online], Image of swaddling garment. Original publication date unknown [retrieved 10/9/2002], Retrieved from the Internet. <url: blanketswaddleopen.jpg.="" http:="" www.greatbabyproducts.com="">.</url:>	
	AZ	AUTHOR UNKNOWN, Huggabebe, Web Page [Online]. Original publication date unknown [retrieved 4/30/2002], Retrieved from the Internet. <url: http:="" www.huggabebe.com="">.</url:>	
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